



DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-901]

Organic Soybean Meal from India: Postponement of Preliminary Determination in the Less-Than-Fair-Value Investigation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Andrew Huston, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4261.

SUPPLEMENTARY INFORMATION:

Background

On April 20, 2021, the Department of Commerce (Commerce) initiated a less-than-fair-value (LTFV) investigation(s) of imports of organic soybean meal from India.¹ Currently, the preliminary determination is due no later than September 7, 2021.

Postponement of Preliminary Determination

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in an LTFV investigation within 140 days after the date on which Commerce initiated the investigation. However, section 733(c)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 190 days after

¹ See *Organic Soybean Meal from India: Initiation of Less-Than-Fair Value Investigation*, 86 FR 22146 (April 27, 2021) (*Initiation Notice*).

the date on which Commerce initiated the investigation if: (A) the petitioner² makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On August 9, 2021, the petitioners submitted a timely request that Commerce postpone the preliminary determinations in this LTFV investigation.³ The petitioners requested the postponement to permit Commerce to “fully develop the record in this investigation,” assess questionnaire responses, and issue supplemental questionnaires.⁴

For the reasons stated above and because there are no compelling reasons to deny the request, Commerce, in accordance with section 733(c)(1)(A) of the Act, is postponing the deadline for the preliminary determination by 50 days (*i.e.*, 190 days after the date on which this investigation was initiated). As a result, Commerce will issue its preliminary determination no later than October 27, 2021. In accordance with section 735(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determination of this investigation will continue to be 75 days after the date of the preliminary determination, unless postponed at a later date.

² The petitioners are Organic Soybean Processors of America and the American Natural Processors, LLC, Organic Production Services, LLC, Professional Proteins, Ltd., Sheppard Grain Enterprises LLC, Simmons Grain Company, Super Soy, LLC, and Tri-State Crush LLC.

³ See Petitioners’ Letter, “Organic Soybean Meal from India: Petitioners’ Request to Postpone the Preliminary Determination,” dated August 9, 2021.

⁴ *Id.*

This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: August 12, 2021.

Christian Marsh,

Acting Assistant Secretary

for Enforcement and Compliance.

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